

**THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

**SOCIAL POSITIONING INPUT
SYSTEMS, LLC,**

Plaintiff,

v.

VALVE CORPORATION,

Defendants.

CIVIL ACTION NO. 2:23-cv-422-JRG

JURY TRIAL DEMANDED

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO
DEFENDANT’S RULE 12(b)(3) MOTION TO DISMISS**

Pursuant to Federal Rule of Civil Procedure (“Fed. R. Civ. P.”) 26(d)(1) and the Court’s Order allowing venue discovery in the Symbology case (see *Symbology Innovations, LLC v. Valve Corporation*, Case No. 2:23-cv-00419-JRG, Dkt. 24 (E.D. Tex. 2023), attached hereto as Exhibit A), Plaintiff Social Positioning Input Systems (“SPIS” or “Plaintiff”) hereby moves for leave to conduct limited, expedited venue discovery in this matter, and for an extension of time to respond to Defendant Valve Corporation’s (“Defendant” or “Valve”) Motion to Dismiss (Dkt. No. 11). Valve filed its Motion to Dismiss under 28 U.S.C. § 1406 and Fed. R. Civ. P. 12(b)(3) on November 13, 2023. The parties dispute whether Valve has a regular and established place of business in this District and whether venue is proper in the Eastern District of Texas under *TC Heartland* and *In re Cray*. The Parties have conferred, and Valve does not oppose the motion to conduct venue discovery consistent with the proposals outlined below.

Furthermore, Valve moved to dismiss two other cases brought against it in this District

for improper venue under 28 U.S.C. § 1406 and Fed. R. Civ. P. 12(b)(3). *See Symbology Innovations v. Valve Corp. et al.*, case No. 23-419 (E.D. Tex. Sept. 15, 2023); and *Quantum Technology Innovations v. Valve Corp. et al.*, Case No. 23-425 (E.D. Tex. Sept. 18, 2023). Collectively, the three plaintiffs in these cases (Symbology, SPIS, and Quantum Technology Innovations) are owned in their entirety by Patent Asset management, LLC and are represented in their cases against Valve by the same undersigned counsel. Each of the venue allegations in the complaints filed by Symbology, Social Positioning Input Systems, and Quantum Technology Innovations are substantively identical, and Valve disputes that venue is proper in this District for any of the three cases.

Accordingly, to promote efficiency and conserve judicial resources, the parties hereby stipulate that the venue discovery order in the *Symbology* case (Case No. 23-419, Dkt. No. 24) will be applied to all three cases. The parties further stipulate that the arguments made in Valve's Motion to Dismiss in the first to proceed *Symbology* case (Case No. 23-419, Dkt. No. 11), Plaintiff's Response, and any subsequent briefing be applied with equal force to all three cases.

Dated: February 2, 2024

Respectfully Submitted,

/s/ Randall Garteiser

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COUNSEL FOR PLAINTIFF

CERTIFICATE OF SERVICE

I HEREBY CERTIFY on this February 2, 2024, I caused to be electronically-filed the foregoing document with the Clerk of Court using the Court's CM/ECF system. As such, this document was served on all counsel who are deemed to have consented to electronic service.

/s/ Randall Garteiser

Randall Garteiser

CERTIFICATE OF GOOD FAITH CONFERENCE

Pursuant to Eastern District of Texas Local Rule CV-7(i), counsel has complied with the meet and confer requirement in Local Rule CV-7(h). The Parties met and conferred on January 22, 2024 by email to discuss the relief requested in this Motion. This motion is unopposed.

/s/ Randall Garteiser
Randall Garteiser